

U.S. DEPARTMENT OF COMMERCE, PATENT AND TRADEMARK OFFICE		DATE: 5 August 2006 (25.08.2006)	
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLN. NO. (if known): Not Yet Assigned 10/589487	
INTERNATIONAL APPLICATION NO.: PCT/EP2005/001567	INTERNATIONAL FILING DATE: 16 February 2005 (16.02.2005)	PRIORITY DATE CLAIMED: 16 February 2004 (16.02.2004) DE 29 July 2004 (29.07.2004) DE	
TITLE OF INVENTION: DIAGNOSTIC MARKER FOR CANCER			
APPLICANT(S) FOR DO/EO/US: CAHILL, Michael; KLOCKER, Helmut; ROGATSCH, Hermann			
Applicant hereby submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:			
<p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 USC 371(f)). The submission must include items(5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)):</p> <p>a. <input checked="" type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)</p> <p>6. <input checked="" type="checkbox"/> A English translation of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <p>a. <input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>			
ITEMS 11 to 20 BELOW CONCERN OTHER DOCUMENT(S) OR INFORMATION INCLUDED:			
<p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A FIRST preliminary amendment.</p> <p>14. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter2 and 35 USC 1821 - 1825</p> <p>18. <input type="checkbox"/> A second copy of the published international application under 35 USC 154(d)(4)</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 USC 154(d)(4)</p> <p>20. <input checked="" type="checkbox"/> Other items or information: TRANSMITTAL FORM WITH FEE CALCULATION; INTERNATIONAL PUBLICATION 2005/0078124 A2 WITH INTERNATIONAL PUBLICATION DATE 25 AUGUST 2005 (25.08.2005) AS PUBLISHED IN GERMAN; VERIFIED ENGLISH TRANSLATION OF PUBLICATION WHICH CONSISTS OF 49 PAGES INCLUDING; 1 PAGE TRANSLATOR'S DECLARATION, 32 PAGES TEXTUAL SPECIFICATION, 6 PAGES OF 53 CLAIMS, 10 SHEETS DRAWINGS; PRELIMINARY AMENDMENT WITH ATTACHMENT A TO BE EXAMINATED; UNEXECUTED INVENTOR'S DECLARATION; FORM PCT/IB/304 NOTIFICATION CONCERNING TRANSMITTAL OF PRIORITY DOCUMENT; PTCT/RO/105; PCT REQUEST; PCT/ISA/220 TRANSMITTAL OF THE INTERNATIONAL SEARCH REPORT; PCT/ISA/210 INTERNATIONAL SEARCH REPORT.</p>			

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<p>21. Basic national fee \$ 300</p> <p>22. Examination fee If the written opinion prepared by the ISA/US or the international preliminary examination report prepared by IPEA/US and all claims satisfy Provisions of PCT Article 33(1)-(4) \$ 0</p> <p>All other situations..... \$200</p> <p>23. Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) \$ 0</p> <p>Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100</p> <p>International Search Report prepared and provided to the Office..... \$400</p> <p>All other situations..... \$500</p> <p><u>Additional fee for specification and drawings filed in paper over 100 sheets (excluding Sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets or fraction thereof.</u></p> <p>TOTAL OF 21, 22 & 23=</p>		<u>CALCULATIONS</u>	<u>PTO USE ONLY</u>																																																
<p>Surcharge of \$130.00 for furnishing the oath or declaration later than <u>20</u> <u>30</u> months from the earliest claimed priority date (37 CFR 1.492(e)).</p>		\$																																																	
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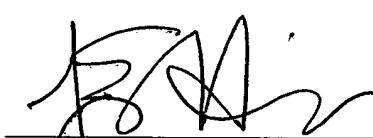
- a. One check in the amount of \$ 6,350.00 to cover the above fees is enclosed.
- b. Please charge my Deposit Account No. 14-0112 in the amount of \$ _____ to cover the above fees. (A duplicate copy of this sheet is enclosed.)
- c. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-0112.
- d. Fees are to be charged to a credit card ____ WARNING: Information on this form may become public ____ Credit Card Information should not be included on this form. ____ Provide credit card information and authorization on PTO-2038

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed to request that the application be restored to pending status.

Send All Correspondence To:

Gary M. Nath
NATH & ASSOCIATES PLLC
112 South West Street
Alexandria, VA 22314

(703) 548-6284 (phone)
(703) 683-8396 (fax)



Gary M. Nath
Registration Number 26,965
Tanya E. Harkins
Registration No. 52,993
Customer No. 20529

10/589487 MAIL STOP PCT
Attorney Docket No. 27581U

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IAP6 Rec'd PCT/PTO 15 AUG 2006

In re Application of:
CAHILL et al.

International Application No. PCT/EP2005/001567

Serial No. NOT YET ASSIGNED

International Filing Date: 16 February 2005 (16.02.2005)

Filed: August ___, 2006

For: **DIAGNOSTIC MARKER FOR CANCER**

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

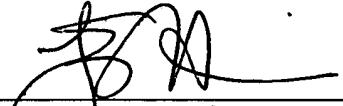
Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- (1) Transmittal Letter
- (2) Transmittal Letter To U.S. Designated/Elected Office (DO/EO/US) Concerning Filing under 35 U.S.C. 371
- (3) International Publication No: WO 2005/078124 A2
International Publication Date: 25 August 2005 (25.08.2005) as published in German
- (4) Verified English translation of publication which consists of 49 pages including:
 - 1 page of the Translator's Declaration,
 - 32 pages Textual Specification,
 - 6 pages of 53 claims,
 - 0 page of the Abstract,
 - 10 sheets of Drawings;
- (5) Preliminary Amendment with Attachment A to be examined:
- (6) Unexecuted Inventor's Declaration;
- (7) Form PCT/IB/304 Notification Concerning Transmittal of Priority Document;
- (8) PCT/RO/105;
- (9) PCT Request;
- (10) PCT/ISA/220 Transmittal of International Search Report;
- (11) PCT/ISA/210 International Search Report;
- (12) Check No. 21055 \$6350.00 for Government Filing Fee(\$300), Search Fee(\$400), Examination Fee(\$200), 33 additional claims over 20(\$1650) and 19 additional independent claims over 3 (\$3,800), as a large entity;
- (13) Postcard for early notification of serial number.

Respectfully submitted,
NATH & ASSOCIATES PLLC

By:



Gary M. Nath
Registration No. 26,965
Tanya E. Harkins
Registration No. 52,993
Customer No. 20529

Date: August 15, 2006
NATH & ASSOCIATES PLLC
112 South West Street
Alexandria, VA 22314
GMN/TEH/dd/PCT.NATLphase.TL

DECLARATION

I, JOHN ALFRED RICHES, of Oak Farm, Catfield, Great Yarmouth, Norfolk, England, do hereby declare that I am conversant with the English and German languages and am a competent translator thereof. I declare further that the following is a true and correct translation made by me of international patent application PCT/EP2005/001567.

Signed this 26th day of July, 2006.

A handwritten signature in black ink, appearing to read "John Alfred Riches", is written over a horizontal line.